

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

TUVF-ESPLANADE, LLC,
Plaintiff,

v.

SEN FITNESS GROUP,
Defendant.

2:25-cv-03131-DSF-MBKx

Order REMANDING Case to
State Court

Defendant has removed this unlawful detainer case from state court on the basis of federal question jurisdiction. Defendant claims that certain alleged protections of the federal CARES Act and the federal Fair Housing Act apply to the lease that is the subject of the unlawful detainer action. Even if the cited provisions were to apply to the commercial lease in question, they, at best, provide potential defenses to Plaintiff's claims. However, federal jurisdiction is based on the plaintiff's complaint and not on any counterclaims or defenses that a defendant might assert. Holmes Group, Inc. v. Vornado Air Circulation Sys., Inc., 535 U.S. 826, 830-32 (2002).

The case is REMANDED to the Superior Court of California,
County of Ventura.

IT IS SO ORDERED.

Date: April 14, 2025



The Honorable Dale S. Fischer
United States District Judge